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Attorneys for the Plaintiff

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 Riverside, California

**UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF CALIFORNIA**

**Danny Allen, Jr., Individually and  
 on Behalf of All Others Similarly  
 Situated,**

Plaintiffs,

v.

**Portfolio Recovery Associates,  
 Inc.,**

Defendant.

Case Number:

**10CV 2658**  
CLASS ACTION

W. BGS

**Complaint for Damages and  
 Injunctive Relief Pursuant To The  
 Telephone Consumer Protection  
 Act, 47 U.S.C § 227 et seq.**

**Jury Trial Demanded**

CA

**INTRODUCTION**

1  
2 1. Danny Allen, Jr. ("Plaintiff") brings this class action for damages, injunctive  
3 relief, and any other available legal or equitable remedies, resulting from the  
4 illegal actions of Portfolio Recovery Associates, Inc. ("Defendant" or "PRA"), in  
5 negligently, and/or willfully contacting Plaintiff on Plaintiff's cellular telephone,  
6 in violation of the Telephone Consumer Protection Act, 47 U.S.C. § 227 et seq.,  
7 ("TCPA"), thereby invading Plaintiff's privacy. Plaintiff alleges as follows upon  
8 personal knowledge as to himself and his own acts and experiences, and, as to all  
9 other matters, upon information and belief, including investigation conducted by  
10 his attorneys.

**JURISDICTION AND VENUE**

11  
12 2. Jurisdiction is proper under 28 U.S.C. § 1332(d)(2) because Plaintiff seeks up to  
13 \$1,500 in damages for each call in violation of the TCPA, which, when  
14 aggregated among a proposed class number in the tens of thousands, exceeds the  
15 \$5,000,000 threshold for federal court jurisdiction. Further, Plaintiff alleges a  
16 national class, which will result in at least one class member belonging to a  
17 different state than that of Defendant, providing jurisdiction under 28 U.S.C.  
18 Section 1332(d)(2)(A). Plaintiff is informed and believed, and thereon alleges,  
19 that Defendant is, and at all times mentioned herein was, a Delaware corporation,  
20 and therefore, is a citizen of that state for diversity purposes. Defendant's  
21 primary corporate headquarters are in Norfolk, VA. Therefore, both elements of  
22 diversity jurisdiction under the Class Action Fairness Act of 2005 ("CAFA") are  
23 present, and this Court has jurisdiction.

24 3. Venue is proper in the United States District Court for the Southern District of  
25 California pursuant to 18 U.S.C. § 1391(b) and 1441(a) because Defendant  
26 conducts business in the County of San Diego, and is subject to personal  
27 jurisdiction within this judicial district.  
28

**PARTIES**

- 1
- 2
- 3 4. Plaintiff is, and at all times mentioned herein was, a citizen and resident of the
- 4 State of California. Plaintiff is, and at all times mentioned herein was, a
- 5 “person” as defined by 47 U.S.C. § 153 (10).
- 6 5. Defendant is, and at all times mentioned herein was, a corporation and a
- 7 “person,” as defined by 47 U.S.C. § 153 (10). Plaintiff alleges that at all times
- 8 relevant herein Defendant conducted business in the State of California and in
- 9 the County of San Diego, and within this judicial district.

**FACTUAL ALLEGATIONS**

- 10
- 11 6. At all times relevant, Plaintiff was a citizen of the State of California. Plaintiff
- 12 is, and at all times mentioned herein was, a “person” as defined by 47 U.S.C. §
- 13 153 (10).
- 14 7. Defendant is, and at all times mentioned herein was, a corporation and a
- 15 “person,” as defined by 47 U.S.C. § 153 (10).
- 16 8. At all times relevant Defendant conducted business in the County of San Diego,
- 17 and is subject to personal jurisdiction within this judicial district.
- 18 9. Defendant PRA is located in the City of Norfolk, the County of Wight, and the
- 19 State of Virginia.
- 20 10. Defendant PRA is a company that purchases, collects and manages portfolios of
- 21 defaulted consumer receivables and provides a broad range of accounts
- 22 receivable management and payments processing services.
- 23 11. Some time prior to 2010, Plaintiff applied for credit from Capital One Bank
- 24 (USA).
- 25 12. At no point did Plaintiff provide Capital One Bank (USA) with his cellular
- 26 telephone number or give Capital One Bank (USA) prior express consent to call
- 27 Plaintiff on his cellular telephone with the use of an autodialer and/or
- 28 prerecorded message.

1 13. At no point did Plaintiff provide Defendant with his cellular telephone number  
2 and/or give Defendant prior express consent to call Plaintiff on his cellular  
3 telephone with the use of an autodialer and/or prerecorded message.

4 14. In early 2010, Plaintiff fell on hard times and became delinquent on one or more  
5 accounts.

6 15. One account was assigned, transferred, or otherwise given to Defendant for the  
7 purposes of collection.

8 16. On information and belief Defendant obtained Plaintiff's cellular telephone  
9 number from a third party and/or in another manner, but not from Plaintiff.

10 17. Beginning on October 11, 2010 Defendant, or its agents, began calling Plaintiff  
11 on his cellular telephone via an "automatic telephone dialing system," as defined  
12 by 47 U.S.C. § 227 (a)(1) using "an artificial or prerecorded voice" as prohibited  
13 by 47 U.S.C. § 227 (b)(1)(A).

14 18. The telephone number Defendant, or its agents, called was assigned to a cellular  
15 telephone service for which Plaintiff incurs a charge for incoming calls pursuant  
16 to 47 U.S.C. § 227 (b)(1).

17 19. These telephone calls constituted calls that were not for emergency purposes as  
18 defined by 47 U.S.C. § 227 (b)(1)(A)(i).

19 20. Plaintiff did not provide Defendant or its agents prior express consent to receive  
20 calls with an autodialer or by a prerecorded voice message on Plaintiff's cellular  
21 telephone, pursuant to 47 U.S.C. § 227 (b)(1)(A).

22 21. These telephone calls by Defendant or its agents violated 47 U.S.C. § 227(b)(1).

23 22. Defendant continued to call Plaintiff on his cellular telephone via an "automatic  
24 telephone dialing system," as defined by 47 U.S.C. § 227 (a)(1) using "an  
25 artificial or prerecorded voice" as prohibited by 47 U.S.C. § 227 (b)(1)(A) on  
26 October 28, 2010, and November 8, 2010.

1 23.The telephone number Defendant, or its agents, called was assigned to a cellular  
2 telephone service for which Plaintiff incurs a charge for incoming calls pursuant  
3 to 47 U.S.C. § 227 (b)(1).

4 24.These telephone calls constituted calls that were not for emergency purposes as  
5 defined by 47 U.S.C. § 227 (b)(1)(A)(i).

6 25.Plaintiff did not provide Defendant or its agents prior express consent to receive  
7 calls with an autodialer or by a prerecorded voice message on Plaintiff's cellular  
8 telephone, pursuant to 47 U.S.C. § 227 (b)(1)(A).

9 26.These telephone calls by Defendant or its agents violated 47 U.S.C. § 227(b)(1).

10 27.In response to receiving these illegal telephone calls, Plaintiff sent a written  
11 demand to Defendant to cease and desist any and all communications with  
12 Plaintiff, including, but not limited to, dialing Plaintiff's cellular telephone by  
13 automated dialer. Such written communication was received by Defendant on  
14 November 15, 2010.

15 28.Despite this written request to stop the automated collection calls to Plaintiff's  
16 cellular telephone, Defendant then initiated an additional call to Plaintiff's  
17 cellular telephone on November 16, 2010 on his cellular telephone via an  
18 "automatic telephone dialing system," as defined by 47 U.S.C. § 227 (a)(1) using  
19 "an artificial or prerecorded voice" as prohibited by 47 U.S.C. § 227 (b)(1)(A).

20 29.The telephone number Defendant, or its agents, called was assigned to a cellular  
21 telephone service for which Plaintiff incurs a charge for incoming calls pursuant  
22 to 47 U.S.C. § 227 (b)(1).

23 30.These telephone calls constituted calls that were not for emergency purposes as  
24 defined by 47 U.S.C. § 227 (b)(1)(A)(i).

25 31.Plaintiff did not provide Defendant or its agents prior express consent to receive  
26 calls with an autodialer or by a prerecorded voice message on Plaintiff's cellular  
27 telephone, pursuant to 47 U.S.C. § 227 (b)(1)(A).

28 32.These telephone calls by Defendant or its agents violated 47 U.S.C. § 227(b)(1).

**CLASS ACTION ALLEGATIONS**

20. Plaintiff brings this action on behalf of himself and on behalf of and all others similarly situated ("the Class").

21. Plaintiff represents, and is a member of, the Class, consisting of all persons within the United States who received any telephone call from Defendant or its agents to said person's cellular telephone made through the use of any automatic telephone dialing system or with an artificial or prerecorded voice, which call was not made for emergency purposes or with the recipient's prior express consent, within the four years prior to the filing of this Complaint.

22. Defendant and its employees or agents are excluded from the Class. Plaintiff does not know the number of members in the Class, but believes the Class members number in the tens of thousands, if not more. Thus, this matter should be certified as a Class action to assist in the expeditious litigation of this matter.

23. Plaintiff and members of the Class were harmed by the acts of Defendant in at least the following ways: Defendant, either directly or through its agents, illegally contacted Plaintiff and the Class members via their cellular telephones by using an autodialer and / or with a prerecorded voice message, thereby causing Plaintiff and the Class members to incur certain cellular telephone charges or reduce cellular telephone time for which Plaintiff and the Class members previously paid, by having to retrieve or administer messages left by Defendant during those illegal calls, and invading the privacy of said Plaintiff and the Class members. Plaintiff and the Class members were damaged thereby.

24. This suit seeks only damages and injunctive relief for recovery of economic injury on behalf of the Class and it expressly is not intended to request any recovery for personal injury and claims related thereto. Plaintiff reserves the right to expand the Class definition to seek recovery on behalf of additional persons as warranted as facts are learned in further investigation and discovery.



- 1 25. The joinder of the Class members is impractical and the disposition of their  
2 claims in the Class action will provide substantial benefits both to the parties  
3 and to the court. The Class can be identified through Defendant's records or  
4 Defendant's agents' records.
- 5 26. There is a well-defined community of interest in the questions of law and fact  
6 involved affecting the parties to be represented. The questions of law and fact  
7 to the Class predominate over questions which may affect individual Class  
8 members, including the following:
- 9 a. Whether, within the four years prior to the filing of this Complaint,  
10 Defendant made any call (other than a call made for emergency purposes  
11 or made with the prior express consent of the called party) to a Class  
12 member using any automatic telephone dialing system or an artificial or  
13 prerecorded voice to any telephone number assigned to a cellular telephone  
14 service;
  - 15 b. Whether Plaintiff and the Class members were damaged thereby, and the  
16 extent of damages for such violation; and
  - 17 c. Whether Defendant should be enjoined from engaging in such conduct in  
18 the future.
- 19 27. As a person that received numerous calls using an automatic telephone dialing  
20 system or an artificial or prerecorded voice, without Plaintiff's prior express  
21 consent, Plaintiff is asserting claims that are typical of the Class. Plaintiff will  
22 fairly and adequately represent and protect the interests of the Class in that  
23 Plaintiff has no interests antagonistic to any member of the Class.
- 24 28. Plaintiff and the members of the Class have all suffered irreparable harm as a  
25 result of the Defendant's unlawful and wrongful conduct. Absent a class action,  
26 the Class will continue to face the potential for irreparable harm. In addition,  
27 these violations of law will be allowed to proceed without remedy and  
28 Defendant will likely continue such illegal conduct. Because of the size of the

1 individual Class member's claims, few, if any, Class members could afford to  
2 seek legal redress for the wrongs complained of herein.

3 29. Plaintiff has retained counsel experienced in handling class action claims and  
4 claims involving violations of the Telephone Consumer Protection Act.

5 30. A class action is a superior method for the fair and efficient adjudication of this  
6 controversy. Class-wide damages are essential to induce Defendant to comply  
7 with federal and California law. The interest of Class members in individually  
8 controlling the prosecution of separate claims against Defendant is small  
9 because the maximum statutory damages in an individual action for violation of  
10 privacy are minimal. Management of these claims is likely to present  
11 significantly fewer difficulties than those presented in many class claims.

12 31. Defendant has acted on grounds generally applicable to the Class, thereby  
13 making appropriate final injunctive relief and corresponding declaratory relief  
14 with respect to the Class as a whole.

15 **FIRST CAUSE OF ACTION**

16 **NEGLIGENT VIOLATIONS OF THE TELEPHONE CONSUMER PROTECTION ACT**

17 **47 U.S.C. § 227 ET SEQ.**

18 32. Plaintiff incorporates by reference all of the above paragraphs of this Complaint  
19 as though fully stated herein.

20 33. The foregoing acts and omissions of Defendant constitute numerous and  
21 multiple negligent violations of the TCPA, including but not limited to each and  
22 every one of the above-cited provisions of 47 U.S.C. § 227 et seq.

23 34. As a result of Defendant's negligent violations of 47 U.S.C. § 227 et seq,  
24 Plaintiff and The Class are entitled to an award of \$500.00 in statutory  
25 damages, for each and every violation, pursuant to 47 U.S.C. § 227(b)(3)(B).

26 35. Plaintiff and The Class are also entitled to and seek injunctive relief prohibiting  
27 such conduct in the future.  
28



**SECOND CAUSE OF ACTION**

**KNOWING AND/OR WILLFUL VIOLATIONS OF THE**

**TELEPHONE CONSUMER PROTECTION ACT**

**47 U.S.C. § 227 ET SEQ.**

36. Plaintiff incorporates by reference paragraphs 1 through 32, inclusive, of this Complaint as though fully stated herein.

37. The foregoing acts and omissions of Defendant constitute numerous and multiple knowing and/or willful violations of the TCPA, including but not limited to each and every one of the above-cited provisions of 47 U.S.C. § 227 et seq.

38. As a result of Defendant's knowing and/or willful violations of 47 U.S.C. § 227 et seq., Plaintiff and The Class are entitled to treble damages, as provided by statute, up to \$1,500.00, for each and every violation, pursuant to 47 U.S.C. § 227(b)(3)(B) and 47 U.S.C. § 227(b)(3)(C).

39. Plaintiff and The Class are also entitled to and seek injunctive relief prohibiting such conduct in the future.

**PRAYER FOR RELIEF**

**Wherefore,** Plaintiff respectfully requests the Court grant Plaintiff and The Class members the following relief against Defendant:

**FIRST CAUSE OF ACTION FOR NEGLIGENT VIOLATION OF**

**THE TCPA, 47 U.S.C. § 227 ET SEQ.**

40. As a result of Defendant's negligent violations of 47 U.S.C. § 227(b)(1), Plaintiff seeks for himself and each Class member \$500.00 in statutory damages, for each and every violation, pursuant to 47 U.S.C. § 227(b)(3)(B).

41. Plaintiff also seeks, pursuant to 47 U.S.C. § 227(b)(3)(A), injunctive relief prohibiting such conduct in the future.

42. Plaintiff also seeks any other relief the Court may deem just and proper.

**SECOND CAUSE OF ACTION FOR KNOWING AND/OR WILLFUL VIOLATION  
OF THE TCPA, 47 U.S.C. § 227 ET SEQ.**

43. As a result of Defendant's willful and/or knowing violations of 47 U.S.C. § 227(b)(1), Plaintiff seeks for himself and each Class member treble damages, as provided by statute, up to \$1,500.00 for each and every violation, pursuant to 47 U.S.C. § 227(b)(3)(B) and 47 U.S.C. § 227(b)(3)(C).

44. Plaintiff also seeks, pursuant to 47 U.S.C. § 227(b)(3)(A), injunctive relief prohibiting such conduct in the future.

45. Plaintiff also seeks any other relief the Court may deem just and proper.

**TRIAL BY JURY**

46. Pursuant to the seventh amendment to the Constitution of the United States of America, Plaintiffs are entitled to, and demand, a trial by jury.

Date: December 15, 2010

**HYDE & SWIGART**

By: \_\_\_\_\_

Joshua B. Swigart

**HYDE & SWIGART**  
Riverside, California

JS 44 (Rev. 12/07)

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

FILED

DEC 23 2010

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY *[Signature]* DEPUTY

## I. (a) PLAINTIFFS

Danny Allen Jr., Individually and on Behalf of All Others Similarly Situated

(b) County of Residence of First Listed Plaintiff San Diego  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Hyde & Swigart, 411 Camino Del Rio South Suite 301  
San Diego, CA 92108, 619.233.7770

## DEFENDANTS

Portfolio Recovery Associates, Inc.

County of Residence of First Listed Defendant San Diego  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

10CV 2658

BGS

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes

## V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

47 U.S.C. § 227 et seq.

28:1331 yab

Brief description of cause:  
ICPA

## VII. REQUESTED IN COMPLAINT:

☒ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

## DEMAND \$

monetary class action

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

12/20/10

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # 21558 AMOUNT 350.00 APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

MS 12/23/10

ORIGINAL

Court Name: USDC California Southern  
Division: 3  
Receipt Number: CAS021558  
Cashier ID: msweeney  
Transaction Date: 12/23/2010  
Payer Name: HYDE AND SWIGART ATTY AT LAW

CIVIL FILING FEE

For: DANNY ALLEN V PROTFOLIO RECQVE  
Case/Party: D-CAS-S-10-CV-002658-001  
Amount: \$350.00

CHECK

Check/Money Order Num: 4341  
Amt Tendered: \$350.00

Total Due: \$350.00  
Total Tendered: \$350.00  
Change Amt: \$0.00

There will be a fee of \$45.00  
charged for any returned check.